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S. DISTRICT COURT E.D.N.Y.  
**SEP 04 2012** ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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In the Matter of the Motion to Unseal  
Docket No. 98 - 1101

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GLASSER, United States District Judge:

BROOKLYN OFFICE  
**ORDER**  
12 MC 150 (ILG)

On August 21, 2012, the firm of Wilson, Elser, Moskowitz, Edelman and Dicker LLP ("Wilson Elser"), made a "letter application in lieu of a formal motion to withdraw as counsel for 'Richard Roe' in the 12 MC 150 case." The reasons advanced were those provided in a similar motion before Judge Cogan in 98 CR 1101. Docket #41.

In a letter dated August 20, 2012, Richard E. Lerner requests the Court to correct the docket in 12 MC 150 to reflect that he is counsel of record for Frederick Oberlander who is the Richard Roe referred to in the Wilson Elser letter application. His letter concludes "Respectfully submitted, Wilson, Elser, Moskowitz, Edelman & Dicker LLP, /s/ Richard E. Lerner." Docket #42.

Before addressing the disposition of the Wilson Elser application, I note that its website reveals that Richard E. Lerner is a partner in that firm. It is hornbook law that every partner is an agent of the partnership and the acts of a partner binds the partnership. N.Y. Partnership Law § 20. The letter suggests some uncertainty as to the relationship to this case and to each other of Wilson Elser and Richard Lerner. To assist the Court in deciding the application to withdraw, the parties are each directed to provide the Court with the necessary information pertaining to their relationship and a

memorandum of the applicable principles of the laws of partnership and professional responsibility on or before September 21, 2012.

SO ORDERED.

Dated: Brooklyn, New York  
September 4, 2012

s/ILG

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I. Leo Glasser